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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

2:12-CR-236-JAD-(GWF)

11 VINAY BARARIA,)

12 Defendant.)

13
14 **PRELIMINARY ORDER OF FORFEITURE**

15 This Court finds that on December 18, 2013, defendant VINAY BARARIA pled guilty to Count
16 Two of a Seven-Count Criminal Indictment charging him with Distribution of a Controlled Substance in
17 violation of Title 21, United States Code, Section 841(a)(1). Indictment, ECF No. 28; Change of Plea,
18 ECF No. __; Plea Agreement, ECF No. __.

19 This Court finds defendant VINAY BARARIA agreed to the forfeiture of the property set forth
20 in the Plea Agreement. Indictment, ECF No. 28; Change of Plea, ECF No. __; Plea Agreement, ECF No.
21 __.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
23 has shown the requisite nexus between property set forth in the Plea Agreement and the offense to which
24 defendant VINAY BARARIA pled guilty. Indictment, ECF No. 28; Change of Plea, ECF No. __; Plea
25 Agreement, ECF No. __.

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1 The following assets are subject to forfeiture pursuant to Title 21, United States Code, Sections
2 853(a)(1) and (a)(2); Title 21, United States Code, Sections 881(a)(6) and Title 28, United States Code,
3 Section 2461(c); and Title 21, United States Code, Section 853(p):

- 4 1. \$49,054.00 in United States Currency;
- 5 2. 2007 Jaguar XK, Vin # SAJWA43B875B07357; and
- 6 3. an *in personam* criminal forfeiture money judgment of \$40,225.00 in United States
7 Currency
8 (all of which constitutes "property").

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
12 United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
14 VINAY BARARIA in the aforementioned property is forfeited and is vested in the United States of
15 America and shall be safely held by the United States of America until further order of the Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall
17 publish for at least thirty (30) consecutive days on the official internet government forfeiture website,
18 www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under
19 the applicable statute when a petition contesting the forfeiture must be filed, and state the name and
20 contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim.
21 P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who
23 claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the
24 validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner
25 under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title 28, United
26 States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right, title, or

1 interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief
2 sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
4 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall
6 be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following
7 address at the time of filing:

8 Michael A. Humphreys
9 Assistant United States Attorney
Daniel D. Hollingsworth
10 Assistant United States Attorney
Lloyd D. George United States Courthouse
11 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need
13 not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following
14 publication of notice of seizure and intent to administratively forfeit the above-described property.

15 DATED this 18th day of December, 2013.

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19 UNITED STATES DISTRICT JUDGE
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